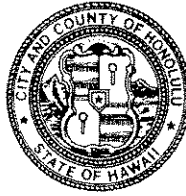


DEPARTMENT OF BUDGET AND FISCAL SERVICES  
**CITY AND COUNTY OF HONOLULU**  
530 SOUTH KING STREET, ROOM 208 • HONOLULU, HAWAII 96813  
PHONE: (808) 768-3900 • FAX: (808) 768-3179 • INTERNET: www.honolulu.gov

MUFI HANNEMANN  
MAYOR



MARY PATRICIA WATERHOUSE  
DIRECTOR

MARK K. OTO  
DEPUTY DIRECTOR

November 5, 2008

RECEIVED

CITY CLERK  
HONOLULU, HAWAII  
NOV 5 10 16 AM '08

The Honorable Barbara Marshall, Chair  
and Members  
Honolulu City Council  
530 South King Street, Room 202  
Honolulu, Hawaii 96813

Dear Chair Marshall and Councilmembers:

Subject: Sale of Roadway Stubs in Manana to Manana-CDIT, LLC  
Abutting Property Owner of Tax Map Key No. 9-7-24:57

We request your approval to sell Parcels 1 and 2, which are roadway stubs, to Manana-CDIT, LLC, as the abutting property owner of Tax Map Key No. 9-7-24:57. The Department of Planning and Permitting requires the elimination of the road stubs and the property line straightened for a property such as Tax Map Key No. 9-7-24:57. The areas for Parcels 1 and 2 are 2,186 square feet and 2,187 square feet, respectively. Please see the enclosed Exhibits A, A-1, and A-2.

The roadway stubs are surplus to the City's needs, and the various City agencies have no objections to the sale of the two roadway stubs to Manana-CDIT, LLC. The roadway stubs will be sold subject to easements in favor of the City for pedestrian access, flowage, water lines, and traffic signal facilities. Manana-CDIT, LLC will relocate the City's existing street lights from the roadway stubs and maintain the storm drain catch basins within the roadway stubs.

Prior to the acquisition of the Manana property by Manana-CDIT, LLC, the City was required to move out from the site by a specified date. The City acted in good faith to move from the property by the specified date; however, a rental claim in the amount of \$120,966.97 was submitted to the City by Manana-CDIT, LLC. As a settlement of this disputed claim, Manana-CDIT, LLC has agreed to accept the two roadway stubs as the full and final settlement for the rental claim of \$120,966.97. The total sale price for the two roadway stubs was estimated at \$93,000, based on an appraisal done by the Department of Design and Construction.

The Honorable Barbara Marshall, Chair  
and Members

Page 2

Your favorable consideration of the resolution is appreciated. The hard copies and diskette containing the proposed resolution are attached. If you need further information or have questions, please feel free to contact me at extension 3901. Thank you.

Sincerely,



Mary Patricia Waterhouse, Director  
Department of Budget and Fiscal Services

Approved as to Form and Legality:



Carrie K. S. Okinaga, Corporation Counsel  
Department of the Corporation Counsel

MPW:dm  
Attachments

Approved:



Wayne M. Hashiro, P. E.  
Managing Director



## RESOLUTION

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APPROVING THE ABANDONMENT AND SALE OF SURPLUS ROADWAY STUBS, PARCEL 1, AREA OF 2,186 SQUARE FEET, AND PARCEL 2, AREA OF 2,187 SQUARE FEET, BEING PORTIONS OF KUALA STREET IN MANANA, ADJACENT TO TAX MAP KEY NO. 9-7-24:57

WHEREAS, the surplus roadway stubs to be sold are City-owned, and are shown on the maps designated as Exhibits "A", "A-1", and "A-2", attached hereto and by reference made a part of this resolution; and

WHEREAS, the surplus roadway stubs, being portions of Kuala Street in Manana, are a county highway as defined in Section 264-1, Hawaii Revised Statutes (HRS), as amended; and

WHEREAS, said Section 264-1, HRS provides that all county highways once established shall continue until vacated, closed, abandoned, or discontinued by a resolution of the legislative body of the county wherein the county highway lies; and

WHEREAS, said Section 264-3, HRS provides that a county highway, before it is disposed of in any way, it shall be first offered to the abutters for a reasonable length of time and at a reasonable price; and

WHEREAS, Paragraph 16, Section 46-1.5, HRS, authorizes the counties, under certain conditions, to dispose of real property as the interests of the inhabitants of the county may require; and

WHEREAS, the Director of Budget and Fiscal Services has recommended to the Council to sell said surplus roadway stubs, pursuant to Sections 37-1.4 and 37-1.6, Revised Ordinances of Honolulu 1990, as amended; and

WHEREAS, the total sale price for the surplus roadway stubs was estimated at \$93,000, based on an appraisal done by the Department of Design and Construction; and

WHEREAS, Manana-CDIT, LLC had submitted to the City a rental claim in the amount of \$120,966.97; and

WHEREAS, as a settlement of this disputed claim, Manana-CDIT, LLC has agreed to accept the surplus roadway stubs as the full and final settlement for the rental claim of \$120,966.97; and

BFS-MANANA ROADWAY STUBS.R08



## RESOLUTION

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WHEREAS, the Director of Budget and Fiscal Services has proposed and recommended said surplus roadway stubs be sold by negotiated sale to Manana-CDIT, LLC, as the abutting property owner, and as the full and final settlement for the rental claim of \$120,966.97; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that said surplus roadway stubs are hereby abandoned as a public roadway effective as of the date of recordation of the deed of conveyance; and

BE IT FURTHER RESOLVED by the Council of the City and County of Honolulu that it approves the sale of said surplus roadway stubs to Manana-CDIT, LLC, as the abutting property owner, and as the full and final settlement for the rental claim of \$120,966.97; and

BE IT FURTHER RESOLVED that the sale be in accordance with the recommendations of the Director of Budget and Fiscal Services, and/or designee and with all applicable laws; and

BE IT FURTHER RESOLVED that the Director of Budget and Fiscal Services, and/or designee, shall be authorized to sign the deed and other necessary documents; and



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. \_\_\_\_\_

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## RESOLUTION

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BE IT FINALLY RESOLVED that the Clerk be directed to transmit a certified copy of this resolution to the Director of Budget and Fiscal Services.

INTRODUCED BY:

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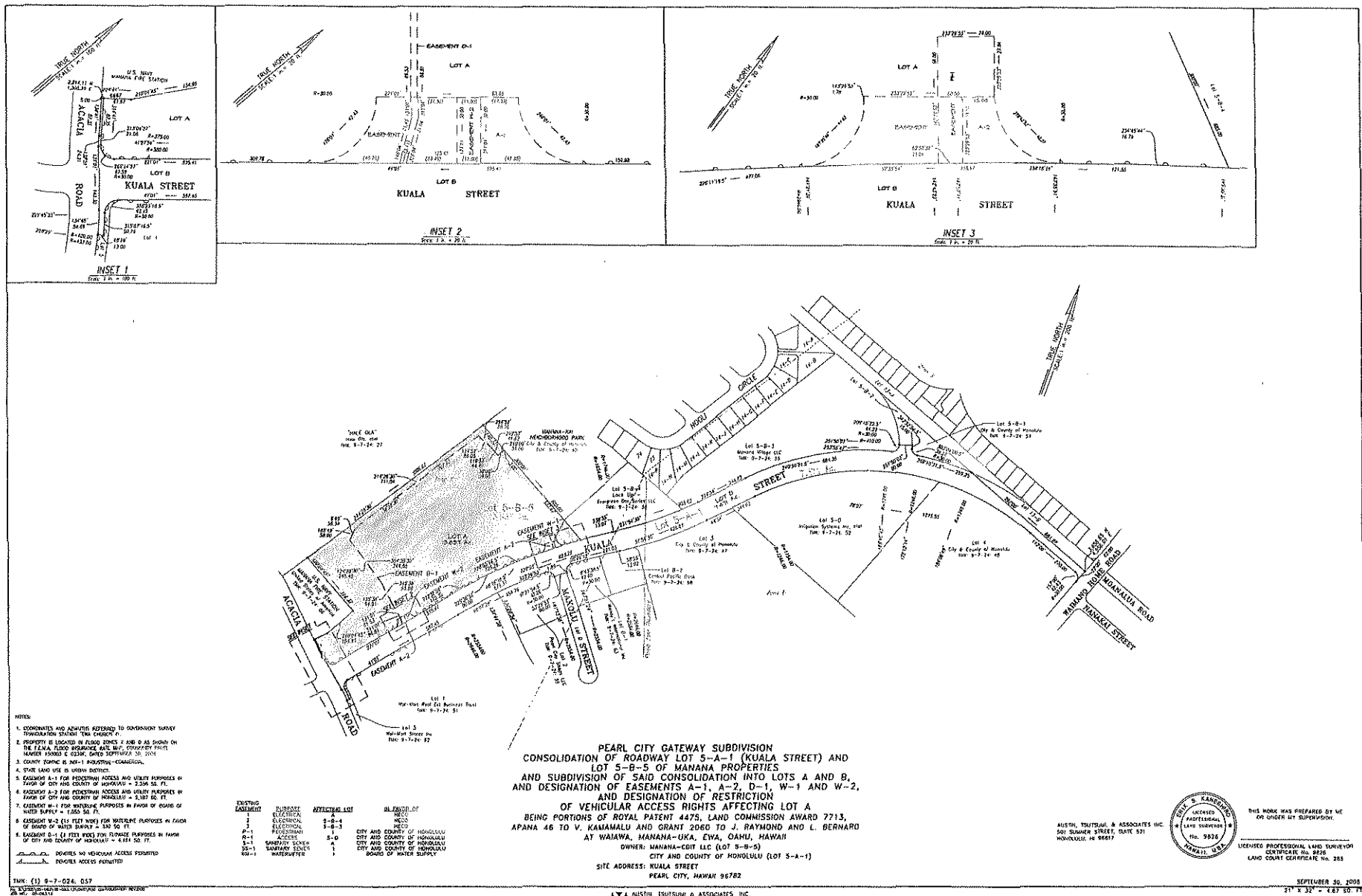
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DATE OF INTRODUCTION

\_\_\_\_\_  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers



Manana-CDIT, LLC  
Property Owner of  
Tax Map Key No. 9-7-24:57



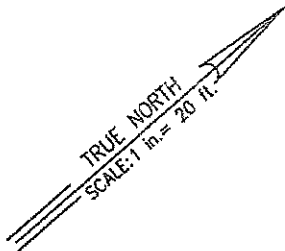
Road Stubs Abutting  
Tax Map Key No. 9-7-24:57

Exhibit A

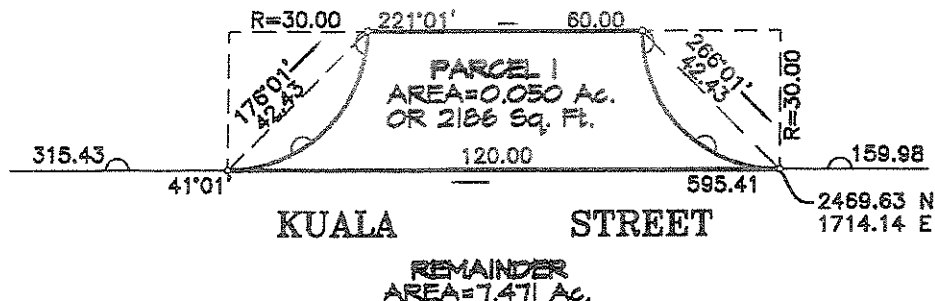


THIS WORK WAS PREPARED BY ME  
OR UNDER MY SUPERVISION.  
LICENSED PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NO. 9926  
LAND COURT CERTIFICATE NO. 285

SEPTEMBER 30, 2008  
21' x 32' = 4.87 SQ. FT.



Lot 5-B-5  
T.M.K. 9-7-24:057  
Owner: Manana CDIT, LLC



**NOTES:**

1. RECORD COORDINATES AND AZIMUTHS AS SHOWN REFERRED TO "EWA CHURCH"  $\Delta$ .
2. ADJOINING OWNERS TAKEN FROM TAX MAP DIVISION RECORDS.

OWNER: CITY AND COUNTY OF HONOLULU



THIS WORK WAS PREPARED BY ME  
OR UNDER MY SUPERVISION.

*Erik S. Kaneshiro* EXP 04/10  
LICENSED PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NUMBER 9826

**GRAPHIC SCALE:**



**PEARL CITY GATEWAY  
KUALA STREET**

**MAP SHOWING PARCEL 1**

BEING PORTION OF R.P. 4475  
L.C. AW, 7713,  
AP. 46 TO V. KAMAMALU  
AT WAIAWA, EWA, OAHU, HAWAII

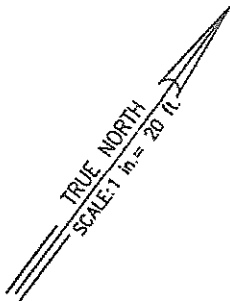
TMK: (1) 9-7-024

MAP NO. 1

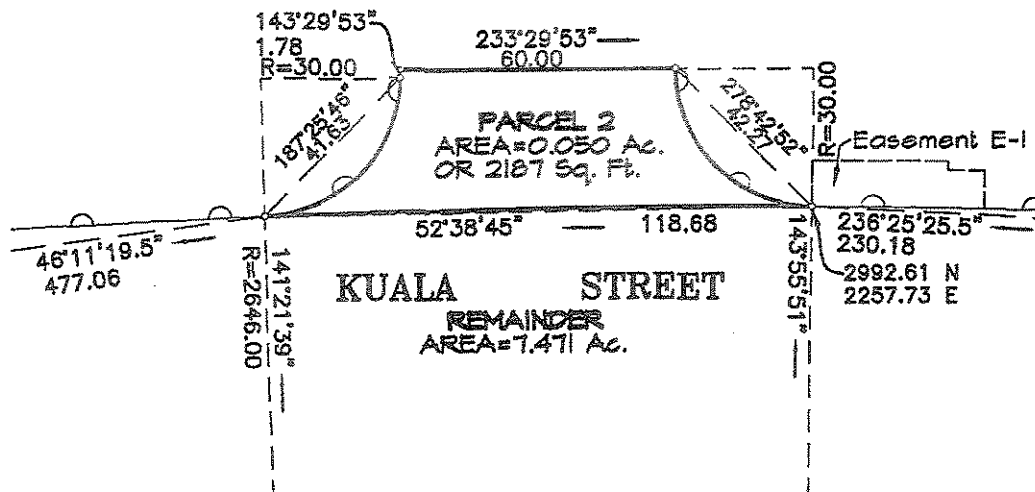
JOB NO.: 05-063.13

**ATA** AUSTIN, TSUTSUMI & ASSOCIATES, INC.  
ENGINEERS, SURVEYORS \* HONOLULU, HAWAII

DATE: 4/8/2008  
8.5" X 11" = 0.7 SQ. FT.



Lot 5-B-5  
T.M.K. 9-7-24:057  
Owner: Manana CDIT, LLC

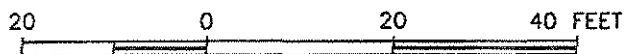


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2. ADJOINING OWNERS TAKEN FROM TAX MAP DIVISION RECORDS.

OWNER: CITY AND COUNTY OF HONOLULU

**GRAPHIC SCALE:**



THIS WORK WAS PREPARED BY ME  
OR UNDER MY SUPERVISION.

*Erik S. Kaneshiro* EXP 04/10  
LICENSED PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NUMBER 9826

**PEARL CITY GATEWAY  
KUALA STREET**

**MAP SHOWING PARCEL 2**

BEING PORTION OF R.P. 4475  
L.C. AW. 7713,  
AP. 46 TO V. KAMAMALU  
AT WAIAWA, EWA, OAHU, HAWAII

TMK: (1) 9-7-024

MAP NO. 1

JOB NO.: 05-063.13

**ATA** AUSTIN, TSUTSUMI & ASSOCIATES, INC.  
ENGINEERS, SURVEYORS • HONOLULU, HAWAII

DATE: 4/8/2008  
8.5" X 11" = 0.7 SQ. FT.